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PART II—Section 4

Statutory Rules and Orders issued by the Ministry of Defence

MINISTRY OF DEFENCE

S.R.O. 97, dated 14th Feb. 1958.—In exercise of the powers conferred by section 60 of the Cantonments Act, 1924 (2 of 1924), the Cantonment Board, Aurangabad, with the previous sanction of the Central Government, hereby makes the following amendment in the late Hyderabad Residency notification No. 22 J, dated the 19th February, 1937, imposing a tax on vehicles in the Aurangabad Cantonment, namely:—

For the schedule annexed to the said notification the following Schedule shall be substituted, namely:—

SCHEDULE

<i>Description of vehicles.</i>	<i>Rate of tax.</i>
Passenger Lorry.	Rs. 72/- per annum.
Goods Lorry.	Rs. 72/- per annum.
Car Hire.	Rs. 30/- per annum.
Car Private.	Rs. 20/- per annum.
Motor Cycle.	Rs. 12/- per annum.
Motor Cycle Rickshaw.	Rs. 12/- per annum.
Bicycle Hire.	Rs. 2/- per annum.
Bicycle Private.	Rs. 1·50 per annum.
Tonga	Rs. 10·50 per annum.
Hand Cart.	Rs. 3/- per annum.

[No. F. 53/2/G/L&C/58/501-G/D(C&L).]

S.R.O. 98, dated 14th Feb. 1958.—The following Bye-laws regulating the holding of public meetings and the use of microphone in the Kanpur Cantonment limits, framed by the Cantonment Board, Kanpur, in exercise of the powers conferred by clauses (28), (38) and (39) of section 282 and 283 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information the same having been previously published and having been approved and confirmed by the Central Government, as required by sub-section (1) of section 284 of the said Act, namely:—

Bye-laws regulating the holding of public meetings and the use of Microphone in the Kanpur Cantonment limits.

1. "No public meeting shall be held on any public road/thorough-fare within the Cantonment limits, or within a distance of 250 yds. on all sides from the perimeter of any military unit or lines/Defence Installations.

2. No microphone will be used within the Cantonment limits except with the prior approval of the Cantonment Executive Officer: Provided that this bye-law shall not apply to military units.

PENALTY

3 Any breach of the provisions of the above Bye-laws shall be punishable with a fine which may extend to Rupees Two hundred

[No. F. 12/49/G/L&C/56/518-G/D(C&L)]

S.R.O. 99, dated 14th Feb. 1958.—In pursuance of sub-section (7) of section 13 of Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board, Dinapore by reason of the acceptance by the Central Government of the resignation of Lt Col Mehar Singh.

[No 19/23/G/L&C/537-G/D(C&L)]

S.R.O. 100, dated 14th Feb. 1958.—In pursuance of sub-section (7) of section 13 of Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the nomination of Lt Col B P Singh, as a member of the Cantonment Board, Dinapore, *vice* Lt Col Mehar Singh resigned

[No 19/23/G/L&C/537-G/D(C&L).]

S.R.O. 101, dated 15th Feb. 1958.—In pursuance of sub-section (7) of section 13 of Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board, Kanpur by reason of the acceptance by the Central Government of the resignation of Major Than Singh

[No. 19/4/G/L&C/547-G/D(C&L).]

S.R.O. 102, dated 15th Feb. 1958.—In pursuance of sub-section (7) of section 13 of Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the nomination of Major L H Grubert, as a member of the Cantonment Board, Kanpur, *vice* Major Than Singh resigned.

[No 19/4/G/L&C/547-G/D(C&L)]

S.R.O. 103, dated 18th Feb. 1958.—The following Bye-laws for regulating the erection or re-erection of buildings in the Morar Cantonment made by the Cantonment Board, Morar, in exercise of the powers conferred by section 186 of the Cantonments Act, 1924 (2 of 1924), are hereby published for general information, the same having been previously published and having been approved and confirmed by the Central Government as required by sub-section (1) of section 284 of the said Act, namely:—

BYE-LAWS FOR THE REGULATION OF THE ERECTION OR RE ERECTION OF BUILDINGS IN THE MORAR CANTONMENT.

1. Every person intending to erect or re-erect a building shall apply for sanction by giving notice in writing to the Cantonment Board, under section 179 of the Cantonments Act, 1924, in Form "A" appended to these bye-laws, and shall at the same time submit duly signed by himself or by his agent:—

- (a) a site plan of the land on which it is intended to erect or re-erect the building,
- (b) a plan of the building which it is proposed to erect or re-erect together with a plan of the existing buildings, if any, showing platforms, balconies and other projections,
- (c) specifications, in duplicate, detailed in Form "B" appended to these bye laws

The plans referred to in clauses (a) and (b) shall be submitted in duplicate provided that where the land on which the building is proposed to be erected or re-erected is under the management of the Military Estates Officer, they shall be submitted in triplicate. At least one copy of the plan shall be on tracing cloth and the remainder on blue print

2 The site plan shall be drawn to a scale of one inch to ten feet for sites in Lal Tipara, Lal Kurti, Maheshpura, Bansipura, Parsadikapura, Suraiyankapura, Kachipura, Kacchipura, Nibuapura, Sutarapura, Sahukapura, Tikonia, Hardev Singh Ki Tall, Ghosmura and Madhopura, and of one inch to twenty-five feet

for other sites. The scale used shall be marked on the plan which shall clearly show:—

- (a) the direction of the North point;
- (b) the boundaries and dimensions of the site;
- (c) the position of the site in relation to adjoining streets, drains, houses, and vacant lands, with names of the owner of such houses and lands;
- (d) the position of the proposed building in relation to the boundaries of the site;
- (e) the level of the proposed building in relation to the drains and streets in which it abuts and the width and name of such streets;
- (f) the position and distance of the nearest water and electric mains.

3. The building plan shall be drawn to a scale of not less than 8 feet to an inch and such details as the Cantonment Board may require shall be to a scale of 4 feet to an inch. It shall include a front elevation and at least one sectional elevational through the main part of the building and shall show:—

- (a) the plan of the ground floor and of every additional floor;
- (b) the position and [of all] dimensions of all projections beyond the main walls of the building;
- (c) the position of all proposed and existing drains, privies, urinals, cess-pools, fire-places, gutters, down-spouts, showing how sullage will be discharged into the nearest public drain;
- (d) the external dimension of the main building and of all rooms;
- (e) the size of all doors, windows and ventilators and their height from the floor of room in which they are fixed;
- (f) the width and depth of the foundations;
- (g) the material to be used in the building, in recognised abbreviations of which an index shall be given on the plan;
- (h) the purpose for which it is intended to use the building;
- (i) in the case of re-erection, old work shall be shown in black, new work in red, re-construction in green, and the portion intended to be demolished in hatchures.

4. (i) No new building, i.e., original or entire re-construction shall be erected unless the carcass is built in burnt brick or coursed stone work on good and sound foundation:

Provided that this bye-law will not in any way affect the re-erection of existing kutcha buildings.

(ii) No second storey shall be erected on any existing building unless the walls thereof are properly constructed in burnt brick or coursed stone-work and the foundation of which are sound and capable of taking the additional load safely.

5. No building shall be erected if it projects beyond the general alignment fixed for the street, otherwise than as provided in bye-law 15.

6. No latrine shall be constructed within 10 feet of a kitchen nor shall any latrine be permitted if the total area of the site is less than 200 square feet. The surface area of a latrine shall not be less than sixteen square feet and a latrine shall have no opening towards any street below six feet of a latrine floor, but it shall have an opening of at least 2 square feet directly upon the external air. In every other respect it shall conform to the pattern, if any, approved by the Cantonment Board under section 137 (b) of the Cantonments Act, 1924.

7. In case of buildings consisting of more than one storey the height of each storey shall not be less than—

Ground floor.....12 feet

First and subsequent floorsff 10 feet.

and in case of a single storey the height shall not be less than 12 feet and shall not exceed the width of the road in front of a building and where no road exists, the maximum height shall not exceed 20 feet.

8. The minimum floor area of every room intended for human habitation shall not be less than one hundred square feet subject to the minimum dimension of any room not being less than 8 feet in width. This limitation shall not apply to kitchens, bath rooms, latrines and store rooms.

9. House drains through which waste or sullage water is intended to pass shall be constructed of glazed pipe or other impervious material, and shall be connected with the nearest roadside drain wherever such a drain exists within 75 feet of the premises according to the direction of the Executive Officer. In the absence of a roadside drain nearby, the house drain shall be discharged into a covered soakage pit which shall be constructed and maintained by the house owner.

10. No new doors, windows or ventilators shall be allowed to be fixed to any wall of a building unless there is a clear margin of land three feet wide from the base of the wall, in the actual possession of the owner of the house seeking to fix the doors and windows. This restriction shall not apply when the said wall is contiguous to a public street or when the owner of the land contiguous to the said wall gives his consent in writing to such construction. Such consent shall be communicated to the Board along with the application.

11. Every room intended for human habitation shall have a minimum opening into the external air equal to 10 per cent. of the superficial area.

12. Every building of more than one floor shall have ample width of stairs not less than three feet to ensure safety in case of fire.

13. The plinth of all masonry buildings shall be at least one foot above the level of the centre of the nearest street and every wall shall have a damp proof course consisting of bituminous felt, vitreous tiles, or cement concrete above the plinth level.

14. The number of storeys shall not in any case exceed three and the aggregate height shall not exceed 45 feet except with special permission.

15. No person shall erect a building of such a height that any portion thereof will protrude into a line drawn at an angle of 60 degrees from the centre of any street on which it abuts:

[1] Provided that a maximum height of fifteen feet shall be permitted irrespective of the width of the street;

[2] Provided further that the restriction of 60 degrees shall not apply to these cases where the Executive Engineer and the Health Officer consider that there is no objection to a second storey being erected.

Explanation 1.—The height of the building shall be calculated from the plinth level upto the eaves of the topmost structure.

Explanation 2.—The width of a street shall be taken to be the distance between the inner edges of side drains, and where such drains are not provided, it shall be taken as clear space between the buildings or structures on the opposite sides. The centre of the street shall be a point at half the width.

16. No balcony, verandah, chajja or other projection shall be allowed into a street which has a width of less than 25 feet at any point in front of the building.

17. The Cantonment Board may at the request of an applicant amend a plan duly submitted under these bye-laws to agree therewith, on payment of a sum upto rupees two in each case; but the Board shall not be bound to do so.

18. All plans shall be prepared by Draftsman duly approved for this purpose by the Cantonment Board.

NOTE: 1. The forms A and B can be obtained from the Cantonment Board Office on payment of annas four per set. Along with these a printed copy of the Bye-laws shall be supplied free of charge.

FORM "A"

Notice to erect or re-erect a building under section 179 of the Cantonments Act, 1924.

From:

The Executive Officer,
Morar Cantonment.

I hereby apply by giving notice under section 179 of the Cantonments Act, 1924, that I intend to erect/re-erect a building as specified in Form "B" attached. The required specifications in duplicate are attached.

Date _____

Applicant

FORM "B"

Specifications of the proposed building.

1. In case of erection/re-erection of an entire building or a considerable portion thereof:—

- (a) Number of the house or site, if any.
- (b) Name of bazar or locality.
- (c) The purpose for which the building is intended to be used.
- (d) The number of the storeys of which the building will consist.
- (e) The material to be used in the construction of the building.
- (f) The number of latrines to be provided.

2. In case of alterations or additions—

- (a) Number of house, if any.
- (b) Name of locality.
- (c) A brief description of the alteration or addition proposed.
- (d) The material to be used for such alteration or addition.

Date _____

Applicant.

S.R.O. 104, dated 19th Feb. 1958.—In pursuance of the provisions of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the election of the following persons to the Cantonment Board Poona from the Ward noted against each:—

SHRI SAIFUDDIN TAHERBHOY—WARD NO. I.
 SHRI NATHALAL CHHAGANLAL SHAH—WARD NO. II.
 SHRI DAYASHANKAR BIHARILAL AGARWAL—WARD NO. III.
 SHRI SONU MAHADU SAWANT—WARD NO. IV (Reserved seat).
 SHRI RAMCHANDRA SADASHIV GAIKWAD—WARD NO. IV (General seat).
 SHRI LINGRAM ERANNA GANLA—WARD NO. V.
 SHRI MAHADOO PENTANNA ANGIKAR—WARD NO. VI.

[No. F. 29/28/G/L&C/57/532-G/D(C&L).]

S.R.O. 105, dated 20th Feb. 1958.—In pursuance of Sub-Section (7) of Section 13 of Cantonments Act, 1924 (2 of 1924) the Central Government is pleased to notify that a vacancy has occurred in the Cantonment Board, Amritsar by reason of the acceptance by the Central Government of the resignation of Major J. N. Plaba.

[No. 19/3/G/L&C/56/602-G/D(C&L).]

S.R.O. 106, dated 20th Feb. 1958.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the nomination of Major P. C. Khanna, as a member of the Cantonment Board, Amritsar, vice Major J. N. Plaha resigned.

[No. 19/3/G/L&C/56/602-G/D(C&L).]

S.R.O. 107, dated 20th Feb. 1958.—In pursuance of sub-section (7) of section 13 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to notify the nomination of CAPTAIN V S. SINGH as a member of the Cantonment Board, Nasirabad.

[No. 19/16/G/L&C/56/601G/D(C&L).]

K. D. BHARGAVA, Under Secy.

THE NAVY (JUDICIAL REVIEW) REGULATIONS, 1958

S.R.O. 108, dated 15th Feb. 1958.—In exercise of the powers conferred by section 184 of the Navy Act, 1957 (62 of 1957), the Central Government hereby makes the following Regulations, namely:—

1. **Short title.**—These Regulations may be called the Navy (Judicial Review) Regulations, 1958.

2. **Application for judicial review, how to be made.**—(1) Any person aggrieved by a finding or sentence of any court-martial or disciplinary court may within twenty days of the date of sentence, apply to the Judge Advocate General of the Navy (hereinafter referred to as 'the Judge Advocate General') for review of the proceedings of such court-martial or disciplinary court under section 160 of the Navy Act, 1957.

(2) Such application may be presented in person or sent by registered post so as to reach the office of the Judge Advocate General within the aforesaid period.

(3) Any application received after the expiration of the aforesaid period may be entertained by the Judge Advocate General if he is satisfied that the delay was due to reasons beyond the control of the applicant.

3. **Form and contents of application.**—Every such application,—

(a) shall be in duplicate,

(b) shall be signed by the applicant, and

(c) shall state succinctly and clearly all grounds on which the conviction or sentence is sought to be impugned and also whether the applicant desires to be heard in person or through a legal practitioner or an officer of the Indian Navy.

4. **Intimation of time and place of hearing.**—On receipt of the application under rule 2, the Judge Advocate General shall, if he considers that the circumstances of the case require that the applicant should be given an opportunity of being heard, intimate that time and place of hearing to the applicant and also to the authority or officer who convened the court-martial or disciplinary court to enable the prosecution to be represented.

L. M. NADKARNI, Jt. Secy.

S.R.O. 109, dated 20th Feb. 1958.—In exercise of the powers conferred by section 8 of the Army Act, 1950 (46 of 1950) read with section 21 of the General Clauses Act, 1897 (10 of 1897), the Central Government hereby rescinds the notification of the Government of India in the Ministry of Defence No. SRO 120 dated the 18th March, 1957.

J. A. DAVE, Dy. Secy.

S.R.O. 110, dated 17th Feb. 1958.—In the Notification of the Government of India in the Ministry of Defence No. S.R.O. 394 dated the 29th October, 1957, published in

the Gazette of India at pages 199-203—Part II, Section 4—dated the 9th November, 1957, the following amendments are made:—

Page	Column	
200	2	Against boundary pillar 12 to 13, second line, for "edge." substitute "edge".
201	2	Against boundary pillar 34-A to 34-B, fifth line for "Sad Paith" substitute "said path".
202	1	Below boundary pillar 34-G to 34-H, for "34-G" substitute "34-H".
202	2	Against boundary pillar 23 to 24, first line, for "Western" substitute "Eastern".
202	2	Against boundary pillar 24 to 25, second line, for "bank" substitute "back".
203	2	Against boundary pillar 27 to 23, fourth line, for "1220" substitute "12200".

K. D. BHARGAVA, Under Secy.

S.R.O. 111, dated 21st Feb. 1958.—In exercise of the powers conferred by Rule 35A(12) of the Reserve and Auxiliary Air Forces Act Rules, 1953, the Central Government accepts the resignation of Dr. G. S. Mahajani of his membership of the Central Advisory Committee for the Auxiliary Air Force.

B. G. RAU, Jt. Secy.

S.R.O. 112, dated 25th Feb. 1958.—In exercise of the powers conferred by Clauses (a) and (b) of Section 31 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to make the following Rules in supersession of those published in the Ministry of Defence Notification No. 45, dated the 6th February, 1954, the same having been previously published as required by the said Section, namely:—

RULES

1. Short title and commencement.—(1) These rules may be called the Mhow Cantonment (Division into Wards) Rules, 1958.

(2) They shall come into force at once.

2. Division of Cantonment into Wards.—For the purpose of holding elections to the Cantonment Board, the Mhow Cantonment shall be divided into the following Wards:—

- Ward I
- Ward II
- Ward III
- Ward IV
- Ward V and
- Ward VI.

3. Boundaries of Wards.—The boundaries of each of the Wards shall be as specified in the schedule to these rules.

4. Number of Members to be elected.—The number of Members to be elected by each of the said wards shall be as follows:—

- Ward No. I.—1.
- Ward No. II.—1.
- Ward No. III.—2. (one seat is reserved for a member of the Scheduled Caste).
- Ward No. IV.—1.
- Ward No. V.—1.
- Ward No. VI.—1.

THE SCHEDULE

(See Rule 3)

(Boundaries of Wards)

Ward No. I.

Bounded on the North by Montgomery (Mahatma Gandhi) Road from the Police Station inclusive upto the House No. 1635B.

Civil Area.

Bounded on the East by Vegetable Market Road (West) and Abdul Gafoor Road from House No. 1635B to House No. 1978, taking turning to the Bhoi Mohalla Road upto the Bhoi Mohalla Bridge on Ganda Nallah and then by Ganda Nalla upto Civil Area Pillar No. 66 near Deen Dayal Kishan Lal's Bank.

Bounded on the South by Simrole Road from Civil Area Pillar No. 66 to No. 69, and No. 1 near Vincent Chemists House No. 335.

Bounded on the West by Civil Area Boundary Pillar Nos. 1 to 5 including the Police Station.

Ward No. II.

Bounded on the North by Civil Area Boundary Pillar Nos. 10 to 14 from House No. 164 to Intermediate College and including Bungalow No. 87.

Civil Area.

Bounded on the East by Anderson Road from Intermediate College to House No. 1161 (Flour Mill) and by Dhanjishaw Road from House No. 1161 to House No. 1609 near Cantonment Fund Potwalas Chabutara.

Bounded on the South by Montgomery Road (Mahatma Gandhi Road) from House No. 1609 to the Police Station exclusive.

Bounded on the West by Civil Area Boundary Pillar Nos. 5 to 10 via Plowden Road part of Bombay-Agra Road upto House No. 164 near the Girls' High School.

Ward No. III.

Bounded on the North by Civil Area Boundary Pillar Nos. 14 to 32 i.e., from the Intermediate College to Garippura including Sarwan Mohallah and Lalji Ki Basti.

Civil Area.

Bounded on the East by Civil Area Boundary Pillar Nos. 32 to 45 i.e., from Garibpura to Cantonment Sarai and the old Octroi Post adjoining it inclusive.

Bounded on the South by Peat Road and Gokal Ganj Road i.e., from Civil Area Boundary Pillar No. 45 to House No. 1576, at the junction of Dhanji Shaw Road, Gokal Ganj Road.

Bounded on the West by Dhanji Shaw Road i.e., from House No. 1576 to House No. 1222, part of Anderson Road from House No. 3094 to Boundary Pillar No. 14 exclusive.

Ward No. IV.

Bounded on the North by part of Montgomery Road (Mahatma Gandhi Road) i.e., from the junction of the Mahatma Gandhi Road and Vegetable Market Road West, Gokal Ganj Road upto Civil Area Boundary Pillar No. 45 near the Cantonment Sarai.

Civil Area.

Bounded on the East by Civil Area Boundary Pillar Nos. 45 to 49 via Sarai Road and along Station Road upto Hindu Hotel near the Railway Station.

Bounded on the South by Civil Area Boundary Pillar Nos. 49 to 66 i.e., from Hindu Hotel Near Railway Station upto Ganda Nallah Bridge near Deendayal Kishallal's Bank.

Bounded on the West by Ganda Nallah from Civil Area Boundary Pillar No. 66 to Bhoi Mohalla Bridge, and Bhoi Mohalla Bridge Road from House No. 1530 to House No. 1979 and by Dr. Abdul Gafoor Road from House No. 1979 upto the junction of Mahatma Gandhi Road and Vegetable Market Road West.

Ward No. V.

Bounded on the North by the Cantonment Boundary Pillar No. 14 including Military Farm Bungalow No. 139 Mohammodan Burial Ground and Garden No. 1 up to Indore Road Bridge on Sater River.

Out Side Civil Area.

Bounded on the East by Sater River, Hindu Cremation Ground, Gujar Khers Octroi Post No. 4, and Simrole Road Octroi Post No. 11 inclusive.

Bounded on the South by Simrole Road Octroi post No. 11 to the junction of Main Street and Simrole Road near Star Diary House No. 334, from House No. 334 to Kid Road Joining Mall then part of Mall Road, General's Road and one Tree Hill Road upto Boundary Pillar No. 9H.

Bounded on the west by Cantonment Boundary Pillar No. 9 H joining Gambhir River and then by Gambhir River to Boundary Pillar No. 14 excluding Civil area wards No. I to IV.

Ward No. VI.

Bounded on the North by Simrole Road from Garden No. 56 to the Junction of Main street and Simrole Road, Corner of Cantonment Garden.

Outside Civil Area.

Bounded on the East by Cantonment Boundary from Corner of Garden No. 56 to Cantonment Boundary Pillar Nos. 3 & 4 near Banda Basti upto Cantonment Boundary Pillar No. 8B.

Bounded on the South by Cantonment Boundary from Pillar Nos. 8B to 8E.

Bounded on the West from Boundary Pillar Nos. 8E to 9H. One Tree Hill Road, General's Road Part of Mall Road, and Kid Road upto the junction of Main Street and Simrole Road near Corner of Cantonment Garden.

S.R.O. 113, dated 25th Feb. 1958.—Ministry of Defence S.R.O. No. 51, dated the 24th January, 1958, published in the Gazette of India, Part II, Section 4, dated 1st February, 1958 is hereby cancelled.

[No. 29/43/G/L&C/57/620G/D(C&L).]

S.R.O. 114, dated 25th Feb. 1958.—In exercise of the powers conferred by sub-section (1) of section 16 of the Cantonments Act, 1924 (2 of 1924), the Central Government is pleased to fix 20th April, 1958 as the date on which elections in ALLAHABAD Cantonment shall be held.

[No. 29/43/G/L&C/57/620G/D(C&L).]

K. D. BHARGAVA, Under Secy.

